

**2016 AMENDMENTS TO FLAGSTAFF CITY CODE  
TITLE 7, CHAPTERS 7-02 AND 7-03, HEALTH AND SANITATION,  
TO UPDATE SYSTEM CAPACITY FEES AND SERVICE FEES”**

**Title 7**

**HEALTH AND SANITATION**

**CHAPTERS:**

- 7-01 GRAFFITI ABATEMENT**
- 7-02 WASTEWATER REGULATIONS**
- 7-03 CITY WATER SYSTEM REGULATIONS**
- 7-04 MUNICIPAL REFUSE COLLECTION SERVICE**
- 7-05 SMOKEFREE AIR**
- 7-06 REPEALED**
- 7-07 SOLID FUEL BURNING DEVICES**
- 7-08 EXTENSION AND REIMBURSEMENT AGREEMENTS FOR THE CONSTRUCTION OF  
WATER AND SEWER LINES**
- 7-09 TOBACCO PRODUCTS**

**CHAPTER 7-02**  
**WASTEWATER REGULATIONS**

SECTIONS:

- 7-02-001-0001 DIVISION CREATED:
- 7-02-001-0002 APPOINTMENT OF DIRECTOR OF UTILITIES:
- 7-02-001-0003 PURPOSE AND POLICY
- 7-02-001-0004 DEFINITIONS:
- 7-02-001-0005 INTERFERENCE WITH THE UTILITIES DIVISION; DIGGING UP STREETS WITHOUT A PERMIT; TAMPERING WITH EQUIPMENT PROHIBITED:
- 7-02-001-0006 ALLOCATION OF RESPONSIBILITY FOR CLEANING, REPAIR AND REPLACEMENT OF BUILDING SEWERS AND CONNECTIONS:
- 7-02-001-0007 UNSANITARY DISPOSAL OF EXCREMENT PROHIBITED:
- 7-02-001-0008 TREATMENT OF POLLUTED WASTES REQUIRED:
- 7-02-001-0009 PROHIBITED SUBSTANCES:
- 7-02-001-0010 STANDARDS FOR DISCHARGE:
- 7-02-001-0011 INDUSTRIAL CLASSIFICATION:
- 7-02-001-0012 INDUSTRIAL SELF-MONITORING:
- 7-02-001-0013 REPORTING REQUIREMENTS:
- 7-02-001-0014 SIGNATORY REQUIREMENTS:
- 7-02-001-0015 CONFIDENTIALITY OF BUSINESS INFORMATION:
- 7-02-001-0016 INTERCEPTORS; TYPE, CAPACITY, LOCATION, MAINTENANCE:
- 7-02-001-0017 CONTROL MANHOLES:
- 7-02-001-0018 RIGHT OF ENTRY FOR INSPECTIONS AND MONITORING:
- 7-02-001-0019 PROVISION OF FALSE INFORMATION:
- 7-02-001-0020 PUBLIC NOTIFICATION, DEFINITION OF SIGNIFICANT VIOLATION:
- 7-02-001-0021 PROCEDURES FOR ENFORCEMENT:
- 7-02-001-0022 PUBLIC RECLAIMED WASTEWATER PIPELINE AND SEWER EXTENSIONS; APPROVAL BY CITY ENGINEER:
- 7-02-001-0023 CONSTRUCTION AND OWNERSHIP OF PUBLIC RECLAIMED WASTEWATER PIPELINES, PUBLIC SEWER LINES AND OTHER EQUIPMENT MAINTAINED BY UTILITIES DIVISION:
- 7-02-001-0024 PUBLIC RECLAIMED WATER PIPELINE EXTENSION AND CONVERSION POLICY FOR REUSERS:
- 7-02-001-0025 MAIN SEWER EXTENSION POLICY FOR AREAS BEYOND PRESENT CITY TRUNK LINES:
- 7-02-001-0026 PRIVATE SEWERAGE SYSTEMS; CONSTRUCTION AND MAINTENANCE WITHIN THE CITY PROHIBITED GENERALLY:
- 7-02-001-0027 PRIVATE SEWERAGE SYSTEMS; WHEN PERMITTED, TO BE CONSTRUCTED AND MAINTAINED IN SANITARY MANNER:
- 7-02-001-0028 PRIVATE SEWERAGE SYSTEMS; DISCONTINUANCE:
- 7-02-001-0029 PRIVATE SEWERAGE SYSTEMS; AUTHORITY OF DIRECTOR OF HEALTH DEPARTMENT:
- 7-02-001-0030 PERMIT REQUIRED:
- 7-02-001-0031 APPLICATION FOR BUILDING CONNECTION:
- 7-02-001-0032 DIRECTOR OF UTILITIES TO APPROVE DESIGN NUMBER, LOCATION, SIZE AND CONSTRUCTION OF BUILDING CONNECTIONS:
- 7-02-001-0033 SPECIAL PROVISIONS FOR INSTALLING BUILDING CONNECTIONS IN NEW SUBDIVISIONS AND DEVELOPMENTS:
- 7-02-001-0034 RECORDS TO BE KEPT BY ENGINEERING SECTION:
- 7-02-001-0035 SEWER TAP FEE:
- 7-02-001-0036 SEWER USER CHARGES:
- 7-02-001-0037 THE COLLECTION OF USERS CHARGES SHALL BE UNDER THE DIRECTION OF THE CITY'S FINANCE DIRECTOR:

- 7-02-001-0038 RATE ESTABLISHMENT AND REVIEW PROCEDURE:  
**7-02-001-0039 SEWER USE CHARGES, CAPACITY CHARGES:**  
 7-02-001-0040 SEPTIC TANK AND SCAVENGER WASTE HAULERS:  
 7-02-001-0041 SEWER RATES TO BE ADDED TO WATER BILLS:  
 7-02-001-0042 WHEN BILLS PAYABLE; DISCONNECTION OF SERVICE FOR FAILURE TO PAY;  
 RECONNECTION FEE:  
 7-02-001-0043 DETERMINATION OF WASTEWATER QUANTITY AND BILLINGS: NONRESIDENTIAL:  
 7-02-001-0044 RESERVED FOR FUTURE USE:  
 7-02-001-0045 PAYMENT OF BILLS AND CHARGES:  
 7-02-001-0046 NOTICE PRIOR TO DISCONNECT:  
 7-02-001-0047 SERVICE CONNECTIONS:  
 7-02-001-0048 RESERVED FOR FUTURE USE:  
 7-02-001-0049 PERMITS REQUIRED FOR INDUSTRIAL USERS:  
 7-02-001-0050 INDUSTRIAL USER PERMITS:  
 7-02-001-0051 PERMITTEE REQUIREMENTS:  
 7-02-001-0052 RESERVED FOR FUTURE USE:  
 7-02-001-0053 RESERVED FOR FUTURE USE:  
 7-02-001-0054 RESERVED FOR FUTURE USE:  
 7-02-001-0055 RESERVED FOR FUTURE USE:  
 7-02-001-0056 RESERVED FOR FUTURE USE:  
 7-02-001-0057 RESERVED FOR FUTURE USE:  
 7-02-001-0058 RESERVED FOR FUTURE USE:  
 7-02-001-0059 SERVICE OUTSIDE CITY LIMITS:  
 7-02-001-0060 RESPONSIBILITY FOR ENFORCEMENT:  
 7-02-001-0061 DISCONNECTION OF SERVICE:  
 7-02-001-0062 RESERVED FOR FUTURE USE:  
 7-02-001-0063 INTENT OF CHAPTER:

**7-02-001-0039 SEWER USE CHARGES, CAPACITY CHARGES:**

The sewer user charges to be charged by the Finance Section to all users and to all others that have reasonable access to sewer mains is presented in the following schedule:

The City Council may adjust these rate schedules as they deem necessary.

A. Sewer User Charges:

MONTHLY RATE PER 1,000 GALLONS OF WATER CONSUMPTION

The following monthly service rate shall be charged for customers receiving City of Flagstaff sewer service inside the limits of the City of Flagstaff: Sewer charges are based water consumption. Flat rate charge (dollars/1,000 gallons) for residential based on winter quarter average water use. Other customer classes based on actual water use (dollars/1,000 gallons).

Sewer only service customers will be charged a monthly service fee and sewer usage charge based on estimated water consumption as approved by the Utilities Director. If the Director determines that adequate water meter information is not available for billing a residential customer as described above, then the customer will be charged the average monthly billing for that user class.

Customer Classes	Monthly Rate				
	7/1/14	1/1/17	1/1/18	1/1/19	1/1/20
Residential:					
Single-family	\$4.07 <del>3.08</del>	\$4.36 <del>3.59</del>	\$4.67 <del>3.69</del>	\$5.00 <del>3.80</del>	\$5.35 <del>3.80</del>
Multiple and mobile home (per unit)	\$4.07 <del>3.08</del>	\$4.36 <del>3.59</del>	\$4.67 <del>3.69</del>	\$5.00 <del>3.80</del>	\$5.35 <del>3.80</del>

Customer Classes	Monthly Rate				
	7/1/14	1/1/17	1/1/18	1/1/19	1/1/20
Non-Residential:					
Car Washes	\$4.09 <del>3.06</del>	\$4.38 <del>3.56</del>	\$4.69 <del>3.70</del>	\$5.02 <del>3.82</del>	\$5.38 <del>3.82</del>
Laundromats	\$4.20 <del>3.44</del>	\$4.50 <del>3.65</del>	\$4.82 <del>3.80</del>	\$5.16 <del>3.94</del>	\$5.53 <del>3.92</del>
Commercial	\$4.31 <del>3.22</del>	\$4.62 <del>3.75</del>	\$4.95 <del>3.90</del>	\$5.30 <del>4.04</del>	\$5.68 <del>4.02</del>
Hotels, motels	\$5.76 <del>4.32</del>	\$6.17 <del>5.03</del>	\$6.61 <del>5.24</del>	\$7.08 <del>5.37</del>	\$7.58 <del>5.38</del>
Restaurants	\$6.92 <del>5.20</del>	\$7.41 <del>6.05</del>	\$7.93 <del>6.27</del>	\$8.49 <del>6.45</del>	\$9.09 <del>6.46</del>
Industrial Laundries	\$6.36 <del>4.77</del>	\$6.81 <del>5.55</del>	\$7.29 <del>5.76</del>	\$7.81 <del>5.93</del>	\$8.36 <del>5.94</del>
Manufacturing Plants	\$4.63 <del>3.46</del>	\$4.96 <del>4.02</del>	\$5.31 <del>4.18</del>	\$5.69 <del>4.34</del>	\$6.09 <del>4.32</del>
Pet Food Manufacturers	\$10.15 <del>7.64</del>	\$10.87 <del>8.89</del>	\$11.64 <del>9.19</del>	\$12.46 <del>9.47</del>	\$13.34 <del>9.48</del>
Soft Drink Bottlers	\$8.04 <del>6.05</del>	\$8.61 <del>7.04</del>	\$9.22 <del>7.29</del>	\$9.87 <del>7.50</del>	\$10.57 <del>7.54</del>
Ice Cream Cone Manufacturers	\$12.56 <del>9.46</del>	\$13.44 <del>11.02</del>	\$14.39 <del>11.38</del>	\$15.40 <del>11.72</del>	\$16.48 <del>11.73</del>
Northern Arizona University	\$3.73 <del>2.79</del>	\$4.00 <del>3.24</del>	\$4.28 <del>3.37</del>	\$4.58 <del>3.48</del>	\$4.91 <del>3.48</del>
Waste haulers (charge per 1,000 gallons)	80.00				
Restaurant grease (charge per 100 gallons)	11.00				
Other treatment plant sludge (charge per 100 gallons)	8.00				
Mud sump waste (charge per 100 gallons)	25.00				
Waste material delivered to the treatment plant at times other than 8:00 AM to 4:00 PM weekends or holidays shall be assessed an after hours fee of:	35.00				
Sewer surcharges:					
Biochemical Oxygen Demand - per pound concentrations over 300 milligrams per liter	\$2.703				
Suspended solids - per pound for concentrations over 350 milligrams per liter	\$1.343				

If a customer's discharge exceeds the BOD and TSS limit already included in the monthly rate calculation for that customer class listed above, then sewer surcharges may be added as a condition to the customer user permit, compliance agreement or administrative order.

BOD and TSS included in monthly rates for specific customer classes are as follows:

Customer Class	BOD mg/l	TSS mg/l
Car Washes	20	150
Laundromats	150	110
Commercial	200	175
Manufacturing	200	175
Pet Food Manufacturers	1800	1100
Soft Drink Bottlers	1800	400

Customer Class	BOD mg/l	TSS mg/l
Ice Cream Cone Manufacturers	9700	100

All customers served directly by the City and located outside the City limits shall pay at a rate of one hundred ten percent (110%) times the rate for the same classification of service inside the City.

In the case of one meter serving a user that has different classifications of business, the Utilities Director shall be authorized to adjust the rate per one thousand (1,000) gallons based upon the contribution of each classification.

The user shall be determined according to customer class (see rate schedule above). (Ord. 1849, 12/06/94)

**B. Capacity Charges**

1. A capacity charge, as prescribed below, shall be assessed upon:

- a. initial connection to the municipal sewer system, or
- b. any subsequent expansion or modification of the user's building or facility which results in an increased contribution to the sewer system from:
  - (i) for single or multi-family residential users, an increase in the number of residential units, or
  - (ii) for commercial or industrial users, an increase in the number of fixture units, or
  - (iii) for industrial users, any change in operations resulting in a 20% or greater increase in billable volume as measured on an annual basis, or
  - (iv) a change of use of the property whereby an increased volume of discharge to the sewer system occurs. (Ord. 1809, 06/15/93)
- c. Size of water meter installed on the property.
- d. Each additional water meter added will require additional sewer capacity fees unless specifically designated as a landscape meter.

2. The capacity charges for the various types of users are as follows:

- a. Customer (capacity) Charge, dollars
- b. Residential
- c. Single family residential and townhomes (per unit):

	<del>EFFECTIVE 7-1-16</del> (effective 1-1-07)	<del>\$2,410</del> \$3,723
	<del>(EFFECTIVE 7-1-12)</del>	<del>\$3,126</del>

c. Multiple residential, condos & mobile home (per unit):

	<del>EFFECTIVE 7-1-16</del> (effective 1-1-06)	<del>\$3,723</del> \$2,300
	<del>(EFFECTIVE 1-1-12)</del>	<del>\$3,126</del>

When a change of use occurs that increases the volume of discharge to the sewer system, regardless of whether a change in ownership has taken place, the capacity charge shall be based on the capacity charge

for the new use less the existing capacity charge rate for the previous use. No refund shall be made in the case of reduced volume of discharge from a change of use. (Ord. 1809, 06/15/93)

Non-residential:

Meter size	(effective 1-1-07)	EFFECTIVE 7/1/12	EFFECTIVE 7/1/16
5/8" or 3/4" <sup>100</sup>	\$2,410.00	\$3,126.00	\$3,723
1" <sup>100</sup>	\$4,300.00	\$5,210.00	\$6,218
1-1/2" <sup>100</sup>	\$8,600.00	\$10,419.00	\$12,399
2" <sup>100</sup>	\$8.80	\$16,671.00	\$19,845
3" <sup>100</sup>		\$31,257.00	\$37,233
4" <sup>100</sup>		\$52,095.00	\$62,068
6" <sup>100</sup>		\$104,191.00	\$124,099
8" <sup>100</sup>		\$166,705.00	\$198,566
10" <sup>100</sup>		\$239,639.00	\$285,468

\*gallon per day of estimated flow

Where the capacity charge is based on volume, said charge will initially be calculated based on an estimate of flowage to be submitted in writing by the customer and agreed upon by the City. The capacity charge will be adjusted based upon the volume of the highest consecutive 12 month period for the 36 months immediately following commencement of service for assessment of an additional capacity charge.

The Division shall review all industrial user accounts on an annual basis and assess an additional capacity charge when the annual average billable volume increased by 20% or more. The charge is calculated at the current volume less previously assessed capacity charge recalculated at then current rates.

Wastewater capacity associated with similar user classes may be transferred from one location to another with the approval of the Division. The location from which the wastewater capacity was transferred shall be without wastewater capacity until a subsequent purchaser of said location establishes a new capacity and fees for the new use. The transferor of the wastewater capacity is required to notify any subsequent purchaser of the property, which no longer has wastewater capacity, that such capacity does not exist. The City shall record an agreement between the transferor and the City with the County Recorder against the property without wastewater capacity rights. The agreement shall reference the legal description of the property without wastewater capacity and clearly indicate that wastewater capacity rights do not exist.

Exemption and Payment of Capacity Charges. Structures with a minimum of stem wall, and first floor existing on December 1, 1979, shall be exempt from the capacity charges. As of that date, the capacity charge is immediately due and payable upon, receipt of an application for connection to the sewerage system.

If connection is made to the sewerage system without appropriate permit, the capacity charge is immediately due and payable upon the earliest date that such permit was required. No connection to the sewerage system shall be made without the proper permit and payment of the capacity charge except as provided below for installment payments. (Ord. 1796, 03/16/93)

## CHAPTER 7-03

### CITY WATER SYSTEM REGULATIONS

#### SECTIONS:

- 7-03-001-0001 APPLICATION FOR CONNECTION
- 7-03-001-0002 APPLICATION FOR SERVICE
- 7-03-001-0003 DEPOSIT REQUIRED
- 7-03-001-0004 CONNECTION FEES
- 7-03-001-0005 SERVICE CHARGES
- 7-03-001-0006 AUTHORITY REQUIRED
- 7-03-001-0007 MALICIOUS DAMAGE
- 7-03-001-0008 ACCOUNTS PAYABLE
- 7-03-001-0009 METERS
- 7-03-001-0010 WATER RATES
- 7-03-001-0011 WATER MAIN CAPACITY CHARGES
- 7-03-001-0012 WATER REVENUE FUND
- 7-03-001-0013 CITY WATER MAIN EXTENSION POLICY
- 7-03-001-0014 WATER CONSERVATION
- 7-03-001-0015 CROSS CONNECTION CONTROL
- 7-03-001-0016 WATER RESOURCE DEVELOPMENT FEE
- 7-03-001-0017 PURCHASED ENERGY COMPONENT FOR WATER
- 7-03-001-0018 RECLAIMED WATER RATE SCHEDULE

#### 7-03-001-0010 WATER RATES

There shall be charged the following rates for all water furnished consumers and measured by meter on any service connection with City water mains for and during each monthly billing period.

The base monthly service charge applies whether the water meter is active or inactive. The monthly service charge is based on the fixed cost of operation and maintaining the water system so that the system is available to provide water to the parcel when water service is activated. Parcels with shutoff water meters will continue to pay base monthly service fee since water service is available and may be activated and used by the property owner at any time.:

- B. ~~A.~~ Inside City Limits: The following monthly charges shall be effective with bills rendered on and after January 1, 1991.

Applicable sales taxes will be in addition to these charges. (Ord. 1681, 12/04/90)

Charge per one thousand (1,000) gallons of measured or estimated water use per month.

#### WATER RATE SCHEDULE

##### Monthly Base Service Charge:

Meter Size	7/1/146	1/1/127	1/1/138	1/1/149	1/1/1520
3/ 4"	\$14.0110.02	\$14.6311.38	\$15.27 12.18	\$15.9413.03	\$16.6413.42
1"	\$16.50 11.80	\$17.22 13.40	\$17.98 14.34	\$18.7715.34	\$19.6015.80
1 1/2"	\$22.71 16.25	\$23.71 18.45	\$24.75 19.74	\$25.8421.12	\$26.9821.75
2"	\$30.17 24.58	\$31.50 24.50	\$32.89 26.22	\$34.3328.06	\$35.8428.90
3"	\$47.58 34.03	\$49.67 38.64	\$51.85 41.34	\$54.1444.24	\$56.5245.57

4 <sup>inch</sup>	\$72.43 <del>51.82</del>	\$75.62 <del>58.83</del>	\$78.95 <del>62.95</del>	\$82.42 <del>67.36</del>	\$86.05 <del>69.38</del>
6 <sup>inch</sup>	\$134.58 <del>96.28</del>	\$140.50 <del>109.31</del>	\$146.69 <del>116.96</del>	\$153.14 <del>125.15</del>	\$159.88 <del>128.91</del>
8 <sup>inch</sup>	\$209.15 <del>149.64</del>	\$218.36 <del>169.89</del>	\$227.97 <del>181.78</del>	\$238.00 <del>194.51</del>	\$248.47 <del>200.34</del>
10 <sup>inch</sup>	\$296.16 <del>211.89</del>	\$309.19 <del>240.56</del>	\$322.80 <del>257.40</del>	\$337.00 <del>275.42</del>	\$351.83 <del>283.68</del>

#### VOLUME CHARGE

Monthly Water Use	Volume Charge				
Gallons	\$/1,000 gal				
Single Family -- Block Rate					
Single Family	7-1-146	1-1-127	1-1-138	1-1-149	1-1-1520
Tier 1 (0-3,7500)	\$2.89 <del>2.07</del>	\$3.02 <del>2.34</del>	\$3.15 <del>2.51</del>	\$3.29 <del>2.68</del>	\$3.44 <del>2.77</del>
Tier 2 (3,7501-6,4200)	\$3.75 <del>2.69</del>	\$3.91 <del>3.05</del>	\$4.09 <del>3.26</del>	\$4.26 <del>3.49</del>	\$4.45 <del>3.59</del>
Tier 3 (6,4201-11,7500)	\$5.77 <del>4.13</del>	\$6.03 <del>4.69</del>	\$6.29 <del>5.02</del>	\$6.57 <del>5.37</del>	\$6.86 <del>5.53</del>
Tier 4 (Over 11,7500)	\$11.55 <del>8.26</del>	\$12.05 <del>9.38</del>	\$12.59 <del>10.04</del>	\$13.14 <del>10.74</del>	\$13.72 <del>11.06</del>
Multi-family, Apts, Mobile home	\$3.72 <del>2.66</del>	\$3.88 <del>3.02</del>	\$4.05 <del>3.23</del>	\$4.23 <del>3.45</del>	\$4.42 <del>3.56</del>
Commercial, Schools	\$3.95 <del>2.83</del>	\$4.12 <del>3.24</del>	\$4.30 <del>3.43</del>	\$4.49 <del>3.67</del>	\$4.69 <del>3.78</del>
Northern Arizona University	\$3.95 <del>2.73</del>	\$4.12 <del>2.95</del>	\$4.30 <del>3.15</del>	\$4.49 <del>3.37</del>	\$4.69 <del>3.47</del>
Manufacturing	\$3.89 <del>2.78</del>	\$4.07 <del>3.16</del>	\$4.24 <del>3.38</del>	\$4.43 <del>3.62</del>	\$4.63 <del>3.73</del>
Lawn Meters	\$3.95 <del>2.83</del>	\$4.12 <del>3.24</del>	\$4.30 <del>3.43</del>	\$4.49 <del>3.67</del>	\$4.69 <del>3.78</del>
Hydrant meter	\$6.03 <del>4.88</del>	\$6.30 <del>5.07</del>	\$6.58 <del>5.34</del>	\$6.87 <del>5.63</del>	\$7.17 <del>5.78</del>
Standpipe -- Water haulers	\$6.03 <del>4.88</del>	\$6.30 <del>5.07</del>	\$6.58 <del>5.34</del>	\$6.87 <del>5.63</del>	\$7.17 <del>5.78</del>
Energy Component:					
Charge per one thousand (1,000) gallons, applied to all customer classes (Refer to Section D)	.75				

Energy component cost ~~to will~~ be calculated annually based on a one-year rolling average of water related energy costs as per Section D below.

#### PRIVATE FIRE PROTECTION

Connection Size	Monthly Charge				
Inches	1/1/11	1/1/12	1/1/13	1/1/14	1/1/15
4 <sup>inch</sup>	9.41	10.68	11.43	12.23	12.59
6 <sup>inch</sup>	27.33	31.02	33.19	35.52	36.58
8 <sup>inch</sup>	58.23	66.11	70.74	75.69	77.96

Rates for water sold or furnished to customers for use outside the City limits shall be one hundred ten percent (110%) the rates for water sold or furnished for use inside the City. (Ord. 1825, 12/07/93)



**B. Special Rates:**

Special rates for customers who are not included in existing customer classifications and have usage characteristics different from other customers may be negotiated between the City and customer, without requiring an amendment to the City Code.

**C. Special Rates:** If the initial bill of any new consumer or the final bill of any consumer shall show usage of less than one thousand (1,000) gallons for the initial or final billing period, the consumer shall be billed for the initial or final billing period at the prorated amount based on existing rates for each one hundred (100) gallons or fraction thereof.

Because fire hydrants are not designed to sustain continuous use and because such hydrants are part of the emergency fire protection system of the City, regular use of fire hydrants for water supply is discouraged. When an applicant for water to be delivered from a hydrant can show hardship if forced to obtain water from another source, and the request has been approved in writing by the City's Utilities Director, the Division may install a meter on a fire hydrant for the use of such applicant, following payment of the required fee for such installation and use. The applicant shall be and remain responsible for payment to the City for all water used through such hydrant meter, and for the purpose of protecting himself may place a lock upon said meter.

The fee for installation and use of such hydrant meter shall be \$110.00. The rate of water delivered through a hydrant meter shall be at existing standpipe rate. In addition, a seven hundred dollar (\$700.00) deposit will be required to assure repair work on the meters and hydrants if needed. An additional three hundred dollar (\$300.00) will be required when a backflow prevention device is necessary. The deposits will be refunded if there is no damage sustained when the meter and/or backflow device is returned to the City. (Ord. 1235, 11/29/82)

**D. Automatic Rate Adjustments.** The City agrees to adopt a rate schedule which provides for automatic adjustments to pass along increases in energy related operating costs for delivering water service based on the current electrical and gas tariff rates on file with the Arizona Corporation Commission. Automatic adjustments to the energy surcharge shall be calculated on an annual basis using the past 12 months rolling average of water related energy charges.

1. **Energy Cost Adjustment.** City reserves the right to automatically pass along future increases in electrical and natural gas energy related charges imposed on City by another agency. These automatic adjustments may be made whenever the other agency: (1) increases the standard cost of energy beyond the current energy cost assumed by City in the proposed rate structure described in this section.

2. Adjustments shall begin on January 1 of each calendar year and continue through the end of year.

(Ord. No. 1681, Amended, 12/04/90; Ord. No. 1727, Amended, 12/03/91; Ord. No. 1796, Amended, 03/16/93; Ord. No. 1809, Amended, 06/15/93; Ord. No. 1825, Amended, 12/07/93; Ord. No. 1809, Amended, 06/15/93; Ord. No. 1825, Amended, 12/07/93; Ord. No. 1874, Amended, 06/20/95; Ord. No. 1944, Amended, 05/20/97; Ord. No. 1972, Amended, 04/21/98); (Ord. 2002-07, Amended, 07/16/2002; Ord. 2002-05, Amended, 05/21/2002; Ord. 2000-03, Amended, 03/07/2000; Ord. 1999, Amended, 07/06/1999); (Ord. No. 2006-27, Amended 11/05/2006); Amended Ord. No. 2010-23 (09/07/2010)

**7-03-001-0011 WATER MAIN CAPACITY CHARGES**

The water main capacity charges for all new service connections to be charged by the Finance Section is presented in the following schedule:

**A. A capacity charge, as prescribed below, shall be assessed upon:**

1. initial connection to the municipal water system, or;
2. any increase in meter size

**B. The capacity charges for the various types of users are as follows:**

**SCHEDULE FOR CAPACITY CHARGES**

Capacity Charge				
	Effective 7/1/09	Effective 7/1/12	Effective 1/1/14	Effective 1/1/15
<b>Meter Size</b>				
5/8 x 3/4"	\$5,728	5,013	5,497	5,891
1"	\$9,566	8,371	9,180	9,819
1-1/2"	\$19,074	16,692	18,304	19,638
2"	\$30,530	26,717	29,298	31,420
3"	\$57,279	50,126	54,968	58,913
4"	\$95,484	83,560	91,632	98,188
6"	\$190,910	167,070	183,208	196,376
8"	\$305,468	267,323	293,144	314,201
10"	\$439,157	384,316	421,440	451,664

Meters will be sized using the American Water Works Association Manual, AWWA No. M22. Sizing will be submitted to the City Utilities Department by the developer or owner for City review.

All capacity charges for connections larger than four inches (4") shall be based on proration of mid range flow gallons per minute (gpm) of a 5/8 x 3/4" inch meter divided into the mid range flow of the meter to be evaluated. The resulting number shall be used as a multiplier times the capacity fee for a 5/8 x 3/4 inch meter to determine the large meter capacity fee. Meters will be sized using American Water Works Association Manual, AWWA No. M22. Sizing will be submitted to the City by the developer or owner for City review.

Where the capacity charge is based on volume, said charge will initially be calculated based on an estimate of flowage agreed upon by the City and the customer and will be adjusted based upon the volume of the highest consecutive 12 month period for the 36 months immediately following commencement of service or assessment of an additional capacity charge.

When the capacity charge results from an increase in meter size the charge shall be adjusted to the difference between the charge for the new size meter and the charge for the previous size meter.

C. The Division shall review all customer accounts with meters larger than 4" on an annual basis and assess as additional capacity charge when the annual average demand increases by 20% or more. The additional capacity charge will be calculated using the recommended meter size by AWWA Manual No. 22 or equating to equivalent 5/8 x 3/4 inch meters but substituting for demand the difference between actual current demand, as determined by the previous 12 month average, and the demand used to calculate the previous capacity charge assessed upon the customer. (Ord. 1681, 12/04/90)

(Ord. No. 1681, Amended, 12/04/90; Ord. No. 1944, Amended, 05/20/97); (Ord. 2002-05, Amended, 05/21/2002); (Ord. No. 2006-27, Amended, 11/05/2006); (Amended, Ord. No. 2010-23; 09/07/2010)

#### **7-03-001-0014 WATER CONSERVATION**

##### **A. Definitions:**

1. **Commercial Provision:** An agreement between the Utilities Division and a commercial customer where compliance with the Strategy Level may cause unreasonable economic hardship. A Commercial Provision may be applied for by a business that requires a water use for its day-to-day business operation to succeed. There is no fee associated with obtaining a Commercial Provision. Commercial Provisions shall not be considered for aesthetic landscaping purposes. Examples of businesses that may request a Commercial Provision include, but are not limited to, landscapers and nurseries. A request for a Commercial Provision shall be made in writing to the Utilities Director and shall include the nature of the business, the anticipated water usage per day, and what steps are being taken to conserve water at the business location. Approval and denial commercial provision letters shall be copied to the City Manager and City Council for informational purposes.
2. **Emergency Authority:** Authority to make operational adjustments and/or changes to the potable water and reclaimed water system for the purpose of protecting the system from damage, maintaining water supply, or restoring the system to operation after a system failure. This includes authority to mix potable water with reclaimed water for the purpose of protecting the system from imminent system damage.
3. **Even-numbered address:** Any street address ending in; zero (0), two (2), four (4), six (6), or eight (8).
4. **Irrigate:** To supply land or crops with water by means of pipes or hoses.
5. **Odd-numbered address:** Any street address ending in; one (1), three (3), five (5), seven (7), or nine (9).
6. **Potable Water:** Water that is safe and satisfactory for drinking and cooking.<sup>1</sup>
7. **Reclaimed Water:** Water that has been treated or processed by a wastewater treatment plant or an on-site treatment facility. (ARS 49-201.31)
8. **Resource Status I:** When water demand is equal to or less than safe production capability.
9. **Resource Status II:** When water demand exceeds safe production capability for five (5) consecutive days.
10. **Resource Status III:** When water demand exceeds total production capability and the amount of water in storage may impair fire protection for the City.
11. **Safe Production Capability:** 90% of total water resources available measured in million gallons per day (MGD), based on potable water production and distribution components.
12. **Special Provision:** An agreement between the Utilities Division and a large-volume irrigator allowing special hours of irrigation due to public access concerns or hydraulic constraints.
13. **Surcharge:** To charge an additional fee, cost, or levy.
14. **Total Production Capability:** The total water resources available measured in million gallons per day (MGD), based on potable water production and distribution components.
15. **Unreasonable Economic Hardship:** A hardship where a business' ability to operate using normally accepted practices is adversely affected by the water restriction.
16. **Water Availability Strategy:** An effort initiated to ensure the availability of adequate water resources for the future, and in times of emergency.

17. Wasting Water: To use or expend water thoughtlessly or carelessly. Examples include, but are not limited to, allowing water to run into the street/gutter, allowing water to pool, irrigating during precipitation events, and failing to repair water leaks. The determination of Wasting Water shall be made by a representative of the City of Flagstaff.

<sup>1</sup> Symons, James M. et al., The Drinking Water Dictionary (American Water Works Association, 2001), P. 333.

B. The City Manager, upon the recommendation of the Utilities Director, after notification to the City Council is hereby authorized to declare and suspend Water Availability Strategies and elements of Strategies. The Strategies may be initiated and suspended based upon Resource Status Levels, or other pertinent information, which evaluate the relationship between water demand and municipal safe production capability.

C. The Utilities Division has emergency authority to take operational measures deemed necessary to protect the potable and reclaimed water systems.

D. Augmentation of the reclaimed water system with potable water except as referenced in Paragraph C shall require prior approval of the City Manager, upon the recommendation of the Utilities Director and after notification to the City Council.

E. The following Water Availability Strategies shall govern the use of City water by any user of the City potable water system, as prescribed below:

1. Strategy I: Water Awareness (may implement with Resource Status I). Conserve water, in and outside of the home, using the best practices available to minimize waste. Water users are specifically encouraged to landscape with plant materials requiring little or no supplemental irrigation water. The following uses are restricted or prohibited.

No person shall:

- a. Irrigate between the hours of 9 AM and 5 PM. Even-numbered street addresses shall irrigate Wednesday, Friday, and Sunday. Odd-numbered street addresses shall irrigate Tuesday, Thursday, and Saturday. No irrigation shall be allowed on Monday. Daily hand watering with a hose or watering can is allowed. Strategy I irrigation hours shall apply to hand watering. Water use for maintenance of irrigation systems is permitted during all times of the day.
- b. Use water from a fire hydrant unless for public health or safety, or with the authorization of the Utilities Division.
- c. Waste water, as defined in section A.
- d. Irrigate golf courses with potable water.

New landscape permits. Daily irrigation of new landscape may be allowed for elective landscaping and will be allowed for required landscaping by obtaining a permit from the Water Conservation Office. The permit shall be good for a maximum of thirty (30) days. The fee for the permit shall be ten dollars (\$10) to cover administration and printing, and shall be adjusted to cover changing costs. The permit shall be obtained prior to landscape installation and prominently posted at the irrigation site. The determination of provision of an elective landscaping permit shall be made by a representative of the Utilities Division and may be appealed by the applicant to the Flagstaff Water Commission if thought to be unreasonably denied. The decision of the Water Commission shall be final. Strategy I irrigation hours shall apply to irrigation permits.

2. Strategy II: Water Emergency (may implement with Resource Status II). In addition to the requirements of Strategy I, the following uses are restricted or prohibited.

No person shall:

- a. Irrigate or wash vehicles, except as provided. Even-numbered street addresses are restricted to said uses on Wednesday, Friday, and Sunday. Odd-numbered street addresses are restricted to said uses on Tuesday, Thursday, and Saturday. No outdoor watering activity shall be allowed between the hours of 9 AM and 5 PM. Vehicle washing for public health and safety shall be exempt. This restriction shall not apply to commercial car washes.
- b. Wash paved areas such as drives, sidewalks and tennis courts, or buildings, except for health or safety. Restriction shall not apply to commercial high pressure water blasting for maintenance or construction purposes during strategy II. The use of Reclaimed Water for said uses shall not be restricted.
- c. Use potable water for filling ornamental fountains, artificial ponds or streams.
- d. Fill recreational swimming pools, spas, or wading pools holding more than 100 gallons.
- e. Use potable water for major construction activity, such as dust control, soil compaction, or street cleaning. Major construction activity shall be considered that activity requiring the use of a hydrant meter for the dispensing of potable water or obtaining the water from City of Flagstaff standpipes.

Single Family Residential, and all lawn meter rates shall increase to 150% of the established rate for any water consumption between 6,420 and 11,750 gallons. Rates shall increase to 200% of the established rate for any water consumption greater than 11,750 gallons per billing cycle. Rate increases shall take effect with the billing cycle(s) following the implementation of Strategy II.

Multi-family, Commercial, Industrial, and Institutional water rates shall increase to 120% of the established rate. The rate increase shall take effect with the billing cycle(s) following the implementation of Strategy II.

Potable water standpipe rates shall increase to 130% of the established rate. The rate increase shall take effect upon implementation of Strategy II. Standpipe water shall be limited to uses within a twenty-five mile radius of City Hall. Standpipe water shall not be used for major construction activity, dust control, irrigation of decorative landscaping and/or turf.

No new elective or required landscaping permits shall be issued. Landscaping not installed and required by the City of Flagstaff to meet the Land Development Code will not delay a Certificate of Occupancy to be issued providing its installation is delayed as a result of a suspension of new landscaping permits and a surety is provided acceptable to the Community Development Division.

Upon suspension of Strategy II, rates shall return to their respective level with the billing cycle(s) following the date of the suspension, or in the case of standpipe rates, upon suspension.

3. Strategy III. Water Crises (may implement with Resource Status III). In addition to the requirements of Strategy I and Strategy II, the following uses are restricted or prohibited.

No person shall:

- a. Use any potable water for outside use.
- b. Use fire hydrants, unless for public health, safety, and welfare by authorized government agencies only.
- c. Waste water intentionally or unintentionally. Specifically applies to all residential, commercial, industrial, and institutional use.
- d. Use potable water in violation of any other restriction deemed necessary by the City Council for the purpose of protecting the welfare of the citizens of Flagstaff.

No new Special or Commercial provisions shall be allowed unless approved by the Flagstaff City Council or the Water Commission.

D. Surcharges/Appeals:

1. A Surcharge of \$25.00 shall be assessed to the account of record for a violation of Strategy I.
2. A Surcharge of \$50.00 shall be assessed to the account of record for a violation of Strategy II.
3. A Surcharge of \$100.00 shall be assessed to the account of record for a violation of Strategy III.
4. Surcharges shall double for every repeat violation. Each succeeding Surcharge under the prevailing strategy level may be twice the previous Surcharge assessed for the previous violation.
5. A commercial water hauler determined to be violating the standpipe restrictions shall pay a surcharge equal to that for the appropriate Strategy Level prior to the receipt of additional water.
6. The assessment of the Surcharge may be informally appealed, in writing, within fourteen (14) calendar days of the notice of the Surcharge assessment. The written appeal shall be received by the City of Flagstaff Utilities Division within said fourteen (14) day time limit or the right to such appeal shall be permanently waived. Address all Surcharge-related correspondence to:

City of Flagstaff Utilities Division  
Water Conservation Program Manager  
211 West Aspen Avenue  
Flagstaff, AZ 86001

(Ord. No. 1568, Enacted, 07/05/88; Ord. No. 2003-06, Enacted, 04/01/03; Ordinance No. 2004-23, Enacted December 7, 2004; Amended, Ord. No. 2010-15, 09/07/10)